



North Dakota Department of Health
HIPAA Policy

Policy Title:	Uses and Disclosures in Emergency Situations	
Policy Number:	P-022	Version: 1.0
Reference:	45 CFR 164.512(j)	
Applicability:	Department of Health	
Approved By:	Dr. Terry Dwelle, State Health Officer Arvy Smith, Deputy State Health Officer Darleen Bartz, HIPAA Coordinator, Privacy Officer	
Effective Date:	April 14, 2003	

Policy:

The NDDoH may use or disclose protected health information (PHI) in emergency situations to avert a serious threat to health or safety without the written authorization of the individual for the purposes identified in the following procedure.

Exceptions:

None

Procedure:

- The NDDoH may, consistent with applicable law and standards of ethical conduct, use or disclose PHI if the NDDoH has actual knowledge or a credible representation by a person with apparent knowledge or authority, that the use or disclosure is:
 - Necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public and is to a person or persons reasonably able to prevent or lessen the threat, including the target of the threat.
 - Necessary for law enforcement authorities to identify or apprehend an individual:
 - Because of a statement by an individual admitting participation in a violent crime that the NDDoH reasonably believes may have caused serious physical harm to the victim
 - When it appears from all the circumstances that the individual has escaped from a correctional institution or from lawful custody.
- Verify the identity of the individual as outlined in the Verification of Identity policy (p-025), as applicable.

Related Forms:

None

Definitions:

NDDoH – North Dakota Department of Health

Protected Health Information – Individually identifiable health information that is transmitted or maintained by electronic media or transmitted or maintained in any other form or medium

Individually Identifiable Health Information – Health information which includes demographic information that relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual and that identifies the individual or there is a reasonable basis to believe the information can be used to identify the individual

Electronic Media – Electronic storage media including memory devices in computers and any removable/transportable digital memory medium such as magnetic tape or skid, optical disk or digital memory card; or transmission media used to exchange information already in electronic storage media. Transmission media includes the internet, extranet, leased lines, dial-up lines, private networks and the physical movement of removable/transportable electronic storage media